



ATTORNEY DOCKET NO. 2003028-0051 (MIT 6834 / Ariad 022 US)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Pomerantz et al.  
Serial No.: 08/366,083  
Filing Date: December 29, 1994  
Title: CHIMERIC TRANSCRIPTION FACTORS

Examiner: McKelvey  
Art Unit: 1636

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant requests consideration of this Information Disclosure Statement (IDS).

**Type of Statement**

The present Information Disclosure Statement is:

- ☐ An *original* Information Disclosure Statement; or  
☒ A *supplemental* Information Disclosure Statement.

**Certificate of Mailing**

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

September 10, 2004

Date

Signature

Kathy Hart Gagnon

Typed or Printed Name of person signing certificate

**Compliance with 37 C.F.R. §1.97**

The present Information Disclosure Statement is being filed:

- ☒ Pursuant to 37 C.F.R. § 1.97(b); no fee or certification is required:
  - ☐ Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
  - ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
  - ☐ Before the mailing of a first Office action on the merits; or
  - ☒ Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

### **Content of the Information Disclosure Statement**

Applicant hereby makes of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant includes copies of references as indicated below:

- ☒ A copy of each cited reference not indicated with an asterisk is included;
- ☐ Copies of references indicated with an asterisk on the attached form PTO-1449 are not included pursuant to 37 C.F.R. §1.98(d) because they were previously provided to the United States Patent Office in an Information Disclosure Statement that complies with 37 C.F.R. §1.98(a)-(c) and was submitted in the following patent application that is relied upon in the present case for an earlier effective filing date under 35 U.S.C. §120:

Serial Number	Filing Date	Status

- ☐ Copies of English translations of one or more non-English references are included.

Applicant hereby makes the following additional information of record in the above-identified application:

Applicant certifies that the Information Disclosure Statement *either*:

- ☒ Does not contain non-English language citations;
- ☐ Does contain non-English language citations, of which the following is a concise explanation:
- ☐ Includes one or more translations of a non-English citation.

## **Remarks**

The submission of this Information Disclosure Statement should not be construed as a representation that a search has been made.

The submission of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b).

The submission of this Information Disclosure Statement shall not be construed as a representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. § 102.


It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark Office during the examination of this application; and
3. The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

Respectfully submitted,

Date: September 10, 2004

  
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(REV. 8-83)

U.S. Department of  
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(Use several sheets if necessary)

APPLICANT: Pomerantz, et al.

FILING DATE:  
December 29, 1994GROUP:  
1636**U.S. PATENT DOCUMENTS**

Examiner's Initials	U.S. Patent No.	Applicant	Issue Date	Class	Subclass
	5,283,173	Fields & Song	February 1, 1994		
	5,298,429	Evans et al.	March 29, 1994		
	5,869,337	Crabtree	February 9, 1999		
	6,242,568	Barbas et al.	June 5, 2001		

**U.S. PATENT APPLICATIONS**

Examiner's Initials:	Serial Number:	Applicant:	Publication Date:	Group:	Art Unit:

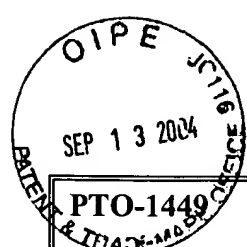
**FOREIGN PATENT DOCUMENTS**

Examiner's Initials	Document No.	Country	Date	Translation	
				Yes	No
	WO 94/18317	PCT	August 18, 1994		

**OTHER DOCUMENTS**

Examiner's Initials	Citation (Including Author, Title, Date, Pertinent Pages, Etc.)
	Talanian et al. (1990) Science, vol. 249; 769-771
	Deng and Karin (1992) Proc Natl Acad Sci USA, vol. 89; 8572-8576
	Park et al. (1993) Proc Natl Acad Sci USA, vol. 90; 4892-4896
	Park et al. (1995) J Am Chem Soc, vol. 117; 6287-6291
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**OTHER DOCUMENTS (Continued)**



**PTO-1449**  
(REV. 8-83)

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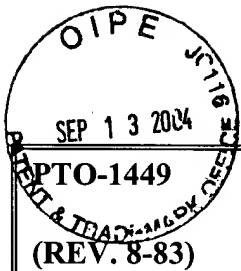
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	Choo, et al., (1994) Nature, vol.372; 642-645
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	Rosenfeld (1991) Genes & Development, vol.5; 897-907

**OTHER DOCUMENTS (Continued)**



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Scott et al., (1989) Biochimica et Biophysica Acta, vol.989; 25-48

Sharp et al., (1993) Keystone Symp. On Mole. Biology of Human Pathogenic Viruses, pg. 2;  
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Spencer et al., (1993) Science, vol.262; 1019-1024

Stemmer (1994) Nature, vol.370, 389-390

Sturm et al., (1988) Genes &amp; Development, vol.2; 1582-1599

Thiesen (1995) 24<sup>th</sup> Ann. Mtg. of Intl. Society for Experimental Hematology, pg. 779;  
Abstract 137

Wu et al., (1995) Proc Natl Acad Sci USA, vol.92; 344-348

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.